

ORIGINAL

MAR 08 2010

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Patrick J. Seidling,

Court File No.: 10-675 DWF/JSG

Plaintiff,

vs.

COMPLAINT

Michael Hummel, M.D. and
St. Paul Radiology, P.A.,

Defendants.

PLAINTIFF, FOR HIS CAUSE OF ACTION AGAINST THE DEFENDANTS
HEREIN, ALLEGES AND STATES AS FOLLOWS:

I.

Jurisdiction of this Court exists pursuant to 28 U.S.C. § 1332 in that the matter in controversy herein exceeds the sum of Seventy-Five Thousand and no/100ths (\$75,000.00) Dollars, exclusive of interest, costs and disbursements and that the controversy is between citizens of different states.

II.

That at all times material hereto, plaintiff Patrick J. Seidling is a citizen of the State of Wisconsin.

III.

That at all times material hereto, defendant Michael Hummel, M.D. is a citizen of the State of Minnesota and engaged in the business of providing healthcare services at United Hospital in St. Paul, Minnesota.

SCANNED

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IV.

That at all times material hereto, defendant St. Paul Radiology, P.A., is a Minnesota corporation engaged in the business of providing healthcare services including interventional radiology; Defendant, Michael Hummel, M.D., is an agent and employee of Defendant St. Paul Radiology, P.A. and was at all times material hereto, an employee of St. Paul Radiology, P.A..

IV.

That on March 10, 2008, Patrick Seidling came under the care and treatment of defendant Michael Hummel, M.D. for peripheral vascular disease. On that date, Dr. Hummel performed an angiogram which revealed focal stenosis in Mr. Seidling's left mid superficial femoral artery which he treated with balloon angioplasty and placement of a stent..

V.

In connection with the treatment given to plaintiff Patrick Seidling, defendant Michael Hummel, M.D., negligently departed from the degrees and skill and care ordinarily possessed and exercised by physicians under the same or similar circumstances in that he failed to order any anticoagulant or any anti-platelet therapy and failed to act or acted in other inappropriate ways.

VI.

That as a direct and proximate result of the negligence of defendant Michael Hummel, M.D., Patrick Seidling sustained severe clotting and blockage in his left leg which required extensive medical treatment and has left him with a significantly damaged leg.

VII.

Due to this injury, he has been and will in the future be caused to expend sums of money for medical care and treatment; he has been and will in the future sustain a loss of earnings and earning capacity; he has sustained pain, suffering and disability which will continue into the future.

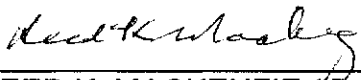
VIII.

As a direct result of the injuries and damages alleged, plaintiff has been damaged in an amount in excess of Seventy-Five Thousand and No/100ths Dollars (\$75,000.00).

WHEREFORE, plaintiff prays for judgment against the defendants herein for a reasonable amount in excess of Seventy-Five Thousand and No/100ths Dollars (\$75,000.00), together with costs disbursements and interest as allowed by any and all applicable laws.

DATED: 02/19, 2010

MACKENZIE & DORNIK, P.A.

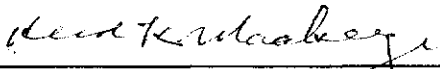
By: 
REED K. MACKENZIE (ID 66011)
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DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury of all the issues of fact.

DATED: 02/19, 2010

MACKENZIE & DORNIK, P.A.

By: 

REED K. MACKENZIE (ID 66011)

Attorneys for Plaintiff

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